IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI CENTRAL DIVISION

	ORDER
)
)
Defendant.)
)
BRANDON MCNEELY,	,)
)
V.) Case No. 05-04313-CV-C-NKL
Plaintiffs,)
)
LITTLETON,)
MICHAEL LITTLETON and GERRI)

Pending before the Court are Plaintiffs' Motion to Compel Defendant Brandon McNeely ("McNeely") to File Supersedeas Bond [Doc. #248] and McNeely's Motion to Stay Execution [Doc. #254]. For the reasons stated herein, both motions are granted.

Defendant requests a stay of the execution of the judgment in this case, pending McNeely's Motion for a New Trial, pursuant to Rule 62(b) of the Federal Rules of Civil Procedure. Defendant filed its Motion for a New Trial on August 13, 2007, and offered to post a Supersedeas Bond in the amount of \$125,000 as requested by the Plaintiffs. Rule 62(b) provides that the Court "on such conditions for the security of the adverse party as are proper" may "stay the execution of or any proceedings to enforce a judgment pending the disposition of a motion for a new trial" Because the parties agree that the amount of the bond will be sufficient to cover costs and interest and because McNeely filed no response to Plaintiffs' Motion, it is hereby

ORDERED that Plaintiffs' Motion to Compel Defendant Brandon McNeely to File

Supersedeas Bond [Doc. # 248] is GRANTED. The supersedeas bond in the amount of

\$125,000 is hereby approved by the Court;

ORDERED that Defendants' Motion to Stay Execution [Doc. #254] is

GRANTED.

s/ Nanette K. Laughrey

NANETTE K. LAUGHREY

United States District Judge

Dated: <u>September 21, 2007</u> Jefferson City, Missouri